

PUBLIC NOTICE

The Montana Department of Environmental Quality (MDEQ) invites interested citizens, government agencies, and the Permittees to review and comment on a modification to BNSF Railway Company's hazardous waste permit for their former tie treating plant in Paradise, Montana. The Montana Hazardous Waste Permit covers operation of a corrective action management unit, post-closure of a surface impoundment and waste pile, monitoring of an alternate concentration limit, permit requirements for two creosote storage tanks, and facility-wide corrective action.

The Department is issuing a permit modification for changes made during the MDEQ's five-year permit review, and to reflect new ownership of a portion of property included in the permit.

MDEQ has prepared a fact sheet that explains the current status of the site and proposed modifications of the permit. An environmental assessment (EA) has been prepared for this draft permit modification in accordance with the Montana Environmental Policy Act.

This notice is to inform the public of the draft permit modification, the associated EA, and the fact sheet and to seek their participation in the decision-making process. The public is provided forty-five (45) days to review and submit written comments on the draft permit modification and EA before a final decision is made by MDEQ. The comment period will extend from August 15, 2007 to September 28, 2007.

During the public comment period, any interested person may request a public hearing. A request for a public hearing must be in writing and must state the nature of the issues proposed to be raised in the hearing. If a hearing is held, the MDEQ will provide notice of the public hearing date at least thirty days prior to the hearing.

The draft permit modification, the draft EA, and the fact sheet are available for examination at the Plains Public Library, 108 West Railroad, Plains, Montana, phone 406/826-3101, and at the MDEQ, Waste and Underground Tank Management Bureau, Metcalf Building, 1520 E. 6th Ave., Helena, Montana, phone 406/444-3490. The fact sheet and EA will also be available for review on DEQ's internet website at: www.deq.state.mt.us/pubcom.asp.

All written comments on the draft permit should be addressed to Ann Kron, MDEQ, Permitting and Compliance Division, Waste and Underground Tank Management Bureau, P.O. Box 200901, Helena, MT 59620-0901, phone 406/444-5824. **All written comments must be received by the MDEQ on or before September 28, 2007, for consideration.**

Based on the comments received, MDEQ will make a final decision to issue, deny, or change the permit modification request. Notice will then be given to the Permittees and each person who submitted written comments or requested a notice of the decision. The final permit decision shall become effective thirty (30) days after the service of notice of the decision, unless a later date is specified. If no comments are received requesting changes to the draft permit modification, the permit becomes effective immediately upon issuance.

For additional information contact Ann Kron at 406/444-5824.

Dated: August 8, 2007